

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAUL SABINO,

Plaintiff,

- against -

PORT AUTHORITY POLICE DEPARTMENT, ET
AL.,

Defendants.

21-cv-5731 (JGK)

MEMORANDUM OPINION AND
ORDER

JOHN G. KOELTL, District Judge:

The plaintiff has filed objections to Magistrate Judge Moses's order dated April 1, 2022 regarding discovery and scheduling (the "Order," ECF No. 49).

A magistrate judge's discovery orders are generally considered "nondispositive" of the litigation. See Thomas E. Hoar, Inc. v. Sara Lee Corp., 900 F.2d 522, 525 (2d Cir. 1990). Accordingly, a district court must affirm such orders unless they are "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). "A magistrate's ruling is contrary to law if it fails to apply or misapplies relevant statutes, case law, or rules of procedure, and is clearly erroneous if the district court is left with the definite and firm conviction that a mistake has been committed." Thai Lao Lignite (Thai.) Co. v. Gov't of Lao People's Dem. Rep., 924 F. Supp. 2d 508, 512 (S.D.N.Y. 2013). This standard of review is "highly deferential," see id. at 511, and "magistrates are afforded broad discretion in resolving discovery disputes."

MASTR Adjustable Rate Mortgs. Tr. 2006-OA2 v. UBS Real Estate
Secs. Inc., No. 12-cv-7322, 2013 WL 6840282, at *1 (S.D.N.Y.
Dec. 27, 2013).


The Court has carefully reviewed the Order, the plaintiff's objections, and the defendants' response to the plaintiff's objections. The plaintiff has failed to show that the Order is clearly erroneous or contrary to law. Accordingly, the plaintiff's objections to the Order are overruled.

To the extent that the plaintiff has further concerns with discovery in this case, the plaintiff should bring those concerns to the attention of Magistrate Judge Moses in the first instance.

The Clerk is directed to mail a copy of this Order to the plaintiff and to note service on the docket.

SO ORDERED.

Dated: New York, New York
June 10, 2022



John G. Koeltl
United States District Judge